

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ALABAMA GAS CORPORATION,

Plaintiff,

vs.

CASE NO. CV-10-J-1840-S

TRAVELERS CASUALTY AND
SURETY COMPANY, et al.,

Defendants.

ORDER

Pending before the court is the plaintiff's motion to exclude the testimony of Judge Bernard Harwood (doc. 119), a brief in support of said motion (doc. 120), defendants' response and exhibits in opposition to said motion (doc. 154), and plaintiff's reply brief and evidence (doc. 158-159). Having considered said motion, briefs, evidence and the relevant law, the court is of the opinion said motion is due to be granted.

It is therefore **ORDERED** by the court that said motion be and hereby is **GRANTED**. The testimony of Judge Bernard Harwood is **EXCLUDED**. Should the defendants care to file a motion to exclude the testimony of Peter J. Hildebrand, the court will consider the same as well.

DONE and **ORDERED** this the 9th day of December, 2011.



INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE